

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7782 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

KAMLABA NEHRUJI DABHI

Versus

TALUKA DEVELOPMENT OFFICER

Appearance:

MR EE SAIYED for Petitioner

MR KT DAVE, AGP for respondent.

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 16/09/98

ORAL JUDGEMENT

1. Leave to add State of Gujarat as party respondent and leave to delete other respondents.

2. Rule. Service of rule waived by Mr. K.T. Dave, Ld. AGP for respondent.

3. Heard. It is not in dispute that the remedy of the petitioner will be by way of an appeal before the

Deputy Development Commissioner, Gandhinagar. Mr. Dave, Id. AGP has no objection if the appeal is filed by the petitioner and if the concerned authority, namely Deputy Development Commissioner of respondent - State of Gujarat will decide and deal with the appeal within the period that may be stated by this Court. Following direction is therefore, issued :-

The petitioner will file appropriate appeal against the impugned order before the Deputy Development Commissioner, Gandhinagar within a period of one week from today. The concerned appellate authority as aforesaid, of the respondent State of Gujarat will decide the said appeal after hearing the petitioner and in accordance with law within 4 weeks from the date of the filing of the appeal.

Subject to the above direction, rule is discharged. No order as to cost. DSP.

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PVR.